



Docket No.: 0179-0170P  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Juergen MUELLER et al.

Application No.: 09/868,845

Confirmation No.: 6312

Filed: September 7, 2001

Art Unit: 2877

For: SCANNING MICROSCOPIC METHOD  
HAVING HIGH AXIAL RESOLUTION

Examiner: G. J. Stock

**RESPONSE TO EX PARTE QUAYLE**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated July 28, 2006, please amend the above-identified U.S. patent application as follows:

**Amendments to the Specification** begin on page 3 of this paper;

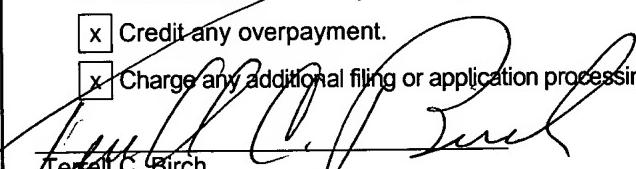
**Amendments to the Abstract** begin on page 4 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 5 of this paper.

**Amendments to the Drawings** begin on page 25 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.



*JFW*

|  |                                  |                                  |                             |                          |      |
|--|----------------------------------|----------------------------------|-----------------------------|--------------------------|------|
| <b>AMENDMENT TRANSMITTAL LETTER</b>  |                                  |                                  |                             | Docket No.<br>0179-0170P |      |
| Application No.<br>09/868,845-Conf. #6312  |                                  | Filing Date<br>September 7, 2001 |                             | Examiner<br>G. J. Stock  |      |
| Applicant(s): Juergen MUELLER et al.   |                                  |                                  |                             |                          |      |
| Invention: SCANNING MICROSCOPIC METHOD HAVING HIGH AXIAL RESOLUTION  |                                  |                                  |                             |                          |      |
| <b>MS Amendment</b><br><b>Commissioner for Patents</b><br><b>P.O. Box 1450</b><br><b>Alexandria, VA 22313-1450</b>   |                                  |                                  |                             |                          |      |
| Transmitted herewith is an amendment in the above-identified application.  |                                  |                                  |                             |                          |      |
| The fee has been calculated and is transmitted as shown below.   |                                  |                                  |                             |                          |      |
| <b>CLAIMS AS AMENDED</b>   |                                  |                                  |                             |                          |      |
|  | Claims Remaining After Amendment | Highest Number Previously Paid   | Number Extra Claims Present |                          | Rate |
| Total Claims   | 34                               | - 42 =                           | 0                           | x 50.00                  | 0.00 |
| Independent Claims   | 8                                | - 11 =                           | 0                           | x 200.00                 | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>   |                                  |                                  |                             |                          |      |
| Other fee (please specify):  |                                  |                                  |                             |                          |      |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b> <span style="float: right;">0.00</span>  |                                  |                                  |                             |                          |      |
| <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity   |                                  |                                  |                             |                          |      |
| <input type="checkbox"/> No additional fee is required for this amendment.   |                                  |                                  |                             |                          |      |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____.<br>A duplicate copy of this sheet is enclosed.   |                                  |                                  |                             |                          |      |
| <input type="checkbox"/> A check in the amount of \$ _____ is enclosed.  |                                  |                                  |                             |                          |      |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.  |                                  |                                  |                             |                          |      |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>02-2448</u><br>as described below. A duplicate copy of this sheet is enclosed. |                                  |                                  |                             |                          |      |
| <input type="checkbox"/> Credit any overpayment.   |                                  |                                  |                             |                          |      |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.   |                                  |                                  |                             |                          |      |
| Dated: <u>September 27, 2006</u>   |                                  |                                  |                             |                          |      |
| <br>Terrell C. Birch<br>Attorney Reg. No.: 19,382   |                                  |                                  |                             |                          |      |
| BIRCH, STEWART, KOLASCH & BIRCH, LLP<br>8110 Gatehouse Road<br>Suite 100 East<br>P.O. Box 747<br>Falls Church, Virginia 22040-0747<br>(703) 205-8000   |                                  |                                  |                             |                          |      |

Application No. 09/868,845  
Amendment dated September 27, 2006  
Reply to Office Action of July 28, 2006

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**Remarks/Arguments** begin on page 26 of this paper.

An **Appendix** including amended drawing figures is attached following page 28 of this paper.